

KABATECK BROWN KELLNER LLP

BRIAN S. KABATECK, ESQ. / BAR #152054
 RICHARD L. KELLNER, ESQ. / BAR #171416
 644 South Figueroa Street
 Los Angeles, CA 90017
 Telephone: (213) 217-5000
 Facsimile: (213) 217-5010
 Email: bsk@kbklawyers.com

KHORRAMI POLLARD & ABIR LLP

SHAWN KHORRAMI, ESQ. / BAR #180411
 DYLAN POLLARD, ESQ. / BAR #180306
 444 So. Flower Street, Thirty-Third Floor
 Los Angeles, CA 90071
 Telephone: (213) 596-6000
 Facsimile: (213) 596-6010
 Email: dpollard@kpalawyers.com

Attorneys for Plaintiffs

**IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 (SAN FRANCISCO DIVISION)**

IN RE: BEXTRA AND CELEBREX) MDL CASE NO.: 05-CV-1699
 MARKETING SALES PRACTICES AND)
 PRODUCT LIABILITY LITIGATION)

ACQUAROLE, et al.,) CASE NO. CGC-06-449463
) MDL Case No. 06-2392 CRB

Plaintiffs,) STIPULATION AND ORDER OF
) DISMISSAL WITH PREJUDICE
 vs.) AS TO PLAINTIFF ALFRED ALOISE

PFIZER, INC., et al.)
)
 Defendants.)

COME NOW, Plaintiff ALFRED ALOISE and Defendants PFIZER, INC., et al., by and
 through the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and

**STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE
 AS TO PLAINTIFF ALFRED ALOISE**

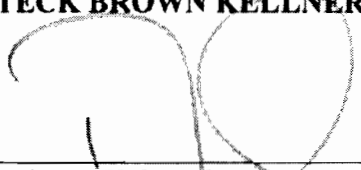
Kabateck Brown Kellner, LLP
 644 South Figueroa Street
 Los Angeles, California 90017
 (213) 217-5000
 FAX (213) 217-5010

1 hereby stipulate to the dismissal of Plaintiff ALFRED ALOISE from this action, with prejudice,
2 each side bearing its own attorney's fees and costs.

3
4 Respectfully submitted,

5
6 Dated: September 24, 2009

KABATECK BROWN KELLNER LLP

7
8 By: 
9 Brian S. Kabateck, Esq.
Attorneys for Plaintiff ALFRED ALOISE

10
11 Dated: October 27, 2009

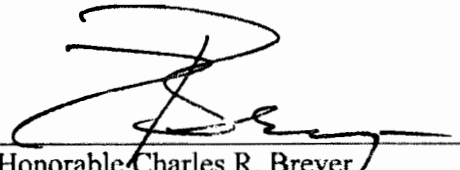
DLA PIPER LLP

12
13 By: /s/
14 Matthew A. Holian
Attorney for Defendants PFIZER, INC., et al.

15
16 **ORDER**

17
18 **PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION, IT IS**
19 **SO ORDERED.**

20
21 Dated: OCT 29 2009

22 
23 Honorable Charles R. Breyer
24 United States District Court